

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

FILED
United States Court of Appeals
Tenth Circuit

April 3, 2025

Christopher M. Wolpert
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOHN CHARLES FLETCHER,

Defendant - Appellant.

No. 25-6020
(D.C. No. 5:09-CR-00021-R-1)
(W.D. Okla.)

ORDER

Before **HOLMES**, Chief Judge.

Appellant John Charles Fletcher is represented in this appeal by Jacquelyn K. Phelps pursuant to an appointment under the Criminal Justice Act, 18 U.S.C. § 3006A. Ms. Phelps filed a motion to withdraw as counsel stating that Appellant plans to retain new counsel. The court took the motion to withdraw under advisement. On April 2, 2025, Andrea Digilio Miller filed an entry of appearance as retained counsel for Appellant.

Upon consideration, the motion to withdraw filed by Ms. Phelps is granted. Pursuant to § 3006A, Ms. Phelps is appointed *nunc pro tunc* to the date the notice of appeal was filed in this matter. That appointment ends with the entry of this order, and Ms. Phelps shall have no further obligations in this appeal except that, within 10 days of

the date of this order, she shall transmit to Ms. Miller¹ copies of all documents in her possession that are pertinent to this appeal and not otherwise available via PACER and/or CM/ECF.

The court further directs as follows:

1. This appeal will proceed on an appendix prepared by the Appellant's retained counsel. *See* Tenth Circuit Rules 10.1, 10.3(B) and 30.1.
2. Appellant's opening brief and appendix shall be due within 40 days from the date of this order.
3. Because Appellant is proceeding within retained counsel, within 10 days from the date of this order, Appellant shall either pay the appellate filing and docketing fees, or show cause in writing why Appellant should not be required to pay the appellate fees and reimburse the government for any expenses paid under the Criminal Justice Act.

Entered for the Court



CHRISTOPHER M. WOLPERT, Clerk

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